SUPERVISOR'S REPORT ON USE OF FORCE

Los Angeles County Sheriff's Department

Supervisor's Report on Use of Force

Incident Information

URN:	402-06091-0980-057	Date:	09-07-2002	Time:	0050
Location:	1000 UNIVERSAL STUDIOS BOULEVARD				
City or Station:	UNIVERSAL CITY				
Bureau/Station/Facility:	WEST HOLLYWOOD/UNIVERSAL CITY WALK	Admin. Investigation:	YES ☒ NO ☐		

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]	NMN	23	

Street Address	City	Zip Code	Work Ph.	Home Ph.
[redacted]	[redacted]	[redacted]	[redacted]	

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]	NMN	29	

Street Address	City	Zip Code	Work Ph.	Home Ph.
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]	NMN		

Street Address	City	Zip Code	Work Ph.	Home Ph.
[redacted]	[redacted]		[redacted]	[redacted]

On Duty Supervisor

Emp. #	Last Name	First Name	Middle Name	Rank	Present	Witness to Incident
[redacted]	[redacted]	[redacted]	NMN	Sgt.	YES ☒ NO ☐	YES ☐ NO ☒
					YES ☐ NO ☐	YES ☐ NO ☐

Watch Sergeant

Emp. #	Last Name	First Name	Middle Name
[redacted]	JACOBS	MARJORY	NMN

Watch Commander

Emp. #	Last Name	First Name	Middle Name
[redacted]	PATTULLO	KATHERINE	NMN

Watch Commander's Signature: ______________________ Emp #: __________

Copy Provided to Employee by: ______________________ Emp #: __________

Supervisor Completing Form: WILLIAM HINES (Print) Emp #: [redacted]

Unit Commanders Signature: ______________________ Emp #: __________ Date Signed: __________

PSTD Use Only

FO# 2071053

Original: Unit Commander
Copy: P.S.T.D.Headquarters, Employee

See Reverse

Supervisor's Report on Use of Force

URN: 402-06091-0980-057

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE APPLIED **_(Only One Code Per Block)_**

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Type of Injury (Code)	Body Part (Code)
E#1	S#1	OC	CP	FA
E#1	S#1	BI	FR	AR
E#2	S#1	OC	CP	FA
E#2	S#2	OC	CP	FA

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Supervisor's Report on Use of Force
INVOLVED EMPLOYEE INFORMATION

URN: 402-06091-0980-057

Involved Employee

E1

Employee #	Last Name	First Name	Middle Name
[redacted]	AHMAD	KAMAL	

Sex:	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
☒ Male ☐ Female	O	UNIVERSAL CITY WALK	95D

Shift:		Age:	Height:	Weight:
☐ EM ☐ Day ☒ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	[redacted]	5'9"	190

Medical Exam/Treatment	If Admitted, Name of Hospital:	Coroner Case #	Directed Force / Significant Force
☐			Directed Force ☐ Significant Force ☒

E2

Employee #	Last Name	First Name	Middle Name
[redacted]	[redacted]	[redacted]	

Sex:	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
☒ Male ☐ Female	H	UNIVERSAL CITY WALK	95D

Shift:		Age:	Height:	Weight:
☐ EM ☐ Day ☒ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	[redacted]	6'	190

Medical Exam/Treatment	If Admitted, Name of Hospital:	Coroner Case#	Directed Force / Significant Force
☐			Directed Force ☐ Significant Force ☐

E_

Employee #	Last Name	First Name	Middle Name

Sex:	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
☐ Male ☐ Female			

Shift:		Age:	Height:	Weight:
☐ EM ☐ Day ☐ PM	☐ Regular Shift ☐ OT Shift ☐ Off Duty			

Medical Exam/Treatment	If Admitted, Name of Hospital:	Coroner Case#	Directed Force / Significant Force
☐			Directed Force ☐ Significant Force ☐

E_

Employee #	Last Name	First Name	Middle Name

Sex:	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
☐ Male ☐ Female			

Shift:		Age:	Height:	Weight:
☐ EM ☐ Day ☐ PM	☐ Regular Shift ☐ OT Shift ☐ Off Duty			

Medical Exam/Treatment	If Admitted, Name of Hospital:	Coroner Case#	Directed Force / Significant Force
☐			Directed Force ☐ Significant Force ☐

E_

Employee #	Last Name	First Name	Middle Name

Sex:	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
☐ Male ☐ Female			

Shift:		Age:	Height:	Weight:
☐ EM ☐ Day ☐ PM	☐ Regular Shift ☐ OT Shift ☐ Off Duty			

Medical Exam/Treatment	If Admitted, Name of Hospital:	Coroner Case#	Directed Force / Significant Force
☐			Directed Force ☐ Significant Force ☐

E_

Employee #	Last Name	First Name	Middle Name

Sex:	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
☐ Male ☐ Female			

Shift:		Age:	Height:	Weight:
☐ EM ☐ Day ☐ PM	☐ Regular Shift ☐ OT Shift ☐ Off Duty			

Medical Exam/Treatment	If Admitted, Name of Hospital:	Coroner Case#	Directed Force / Significant Force
☐			Directed Force ☐ Significant Force ☐

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Supervisor's Report on Use of Force
SUSPECT INFORMATION

URN: 402-06091-0980-057

Suspect Information

S1

Last Name: JACKSON			First Name: JOHN			Middle Name:	
AKA Last Name:			First Name:			Middle Name:	
Sex: ☒ Male ☐ Female	Race: B	Street Address: [redacted]		City: [redacted]		State & Zip Code: [redacted]	
Work Phone: NONE	Home Phone: REFUSED	Age: 37	Height: 6'5"	D.O.B. 09-07-1965	Weight: 270	Armed? ☐	
Booking #: 7407592	Primary Charge: 245 (C) P.C.		Secondary Charge: 594 (b)(1) P.C.			Criminal History [redacted]	
Hospital Admission? ☐	Rec'd Treatment At: CEDARS-SINAI HOSPITAL			Coroner Case#:		Mental History ☐	
Under Influence: ☒ YES ☐ NO	Substance: ALCOHOL			Photos of Suspect's Injuries ☒ YES ☐ NO			

Suspect Interview

Date:	Time:	Audiotape:	Videotape:
09-07-02	0413,0732&2331	☒	☒

Suspect Information

S2

Last Name: GALLARDO			First Name: JOSE			Middle Name: ANTONIO	
AKA Last Name:			First Name:			Middle Name:	
Sex: ☒ Male ☐ Female	Race: H	Street Address: [redacted]		City: [redacted]		State & Zip Code: [redacted]	
Work Phone: NONE	Home Phone: [redacted]	Age: 23	Height: 5'6"	D.O.B. 03-19-1979	Weight: 160	Armed? ☐	
Booking #: 7407589	Primary Charge: 148(a)(1)P.C.		Secondary Charge: 647(F)P.C.			Criminal History ☐	
Hospital Admission? ☐	Rec'd Treatment At:			Coroner Case#:		Mental History ☐	
Under Influence: ☒ YES ☐ NO	Substance: ALCOHOL			Photos of Suspect's Injuries ☐ YES ☒ NO			

Suspect Interview

Date:	Time:	Audiotape:	Videotape:
09-07-02	0407	☐	☒

Suspect Information

S_

Last Name:			First Name:			Middle Name:	
AKA Last Name:			First Name:			Middle Name:	
Sex: ☐ Male ☐ Female	Race:	Street Address:		City:		State & Zip Code:	
Work Phone:	Home Phone:	Age:	Height:	D.O.B.	Weight:	Armed? ☐	
Booking #:	Primary Charge:		Secondary Charge:			Criminal History ☐	
Hospital Admission? ☐	Rec'd Treatment At:			Coroner Case#:		Mental History ☐	
Under Influence: ☐ YES ☐ NO	Substance:			Photos of Suspect's Injuries ☐ YES ☐ NO			

Suspect Interview

Date:	Time:	Audiotape:	Videotape:
		☐	☐

See Other Side

Supervisor's Report on Use of Force

URN: 402-06091-0980-057

Non-Employee Witnesses (Continuation)

Last Name	First Name	Middle Name	Street Address	City	Zip Code	Work Ph.	Home Ph.
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	
[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	
[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	

INVESTIGATIVE SUMMARY

INVESTIGATIVE SUMMARY
SIGNIFICANT USE OF FORCE
FRACTURED ARM
IAB FO 2071053
URN: 402-06091-0980-057

On Saturday, September 7, 2002, at approximately 1500 hours, Sergeants William Hines and Elier Morejon of the Internal Affairs Bureau responded to Universal Studios City Walk Substation regarding the significant use of force by Sheriff's personnel. At about 0050 hours, Deputies attempted to arrest a male suspect that had been involved in a fight. Deputies were able to place one handcuff on the suspect, however, he broke away and started swinging the loose side of the handcuff at the deputies. Deputies used pepper spray on the suspect, however, it had no effect on the suspect. The suspect was then struck on his legs and arms with an expandable baton. The deputies were then able to complete handcuffing and arrest the suspect. A second suspect was also pepper sprayed during his arrest. The first suspect was taken to the Universal Studios Substation, where he was held until approximately 0500 hours. The suspect was then transported to West Hollywood Station and booking was completed. During an interview with the West Hollywood Station Watch Commander at 0732 hours, it was observed that the suspect's right arm was in pain. The suspect was transported to Cedars-Sinai Hospital at 0933 hours. While at the hospital it was determined that the suspect sustained a fractured right wrist. The suspect was cleared for booking at about 1152 hours and transported back to West Hollywood Station. Internal Affairs Bureau Lieutenant Mannis was notified of the fracture at about 1205 hours.

INVOLVED PERSONNEL:

AHMAD, Kamal, Deputy, #[redacted]
[redacted], Deputy, #[redacted]
[redacted]

Both deputies were on loan to Universal Studios City Walk Substation at the time of the incident.

EMPLOYEE WORK HISTORY:

AHMAD, Kamal

Date of Employment:	February 8, 1995
Date assigned to Patrol:	[redacted]
Completed Patrol Training:	[redacted]
Prior Shooting Incidents:	March 31, 2001
Prior Founded Force Incidents:	[redacted]

[redacted]

Date of Employment: August 16, 1991
Date assigned to Patrol: [redacted]
Completed Patrol Training: [redacted]
Prior Shooting Incidents: [redacted]
Prior Founded Force Incidents: [redacted]

SUSPECT:

JACKSON, John M/B/37 Booking # 7407592

Suspect Jackson's criminal history indicates [redacted]

GALLARDO, Jose Antonio M/H/23 Booking # 7407589

Suspect Gallardo does not have a past criminal history. **Refer to Exhibit B - Suspect Gallardo's Photograph and Criminal Record Inquiry**

WITNESSES:

Sworn:

None

> **IAB Note:** There were no sworn witnesses to the force used in this incident, however, several were interviewed as to their involvement after the arrest of Suspect Jackson.

Katherine Pattullo	Lieutenant	West Hollywood Station
Don Walker	Deputy	Universal Studios City Walk
Lloyd McCullough	Deputy	Universal Studios City Walk
Kina Inital	Deputy	Universal Studios City Walk (On Loan)
Doug Gillies	Deputy	Universal Studios City Walk
John Bauer	Deputy	Universal Studios City Walk (On Loan)
Henry Reed	Lieutenant	West Hollywood Station
John Mitchell	Deputy	West Hollywood Station

Civilian:

[redacted]

INJURIES:

Suspect Jackson was treated for pepper spray at the City Walk Station by [redacted] a Universal Studios Medical Technician. At 0937 hours, he was taken to the Emergency Room at Cedars-Sinai Medical Center and treated by Dr. Wendy Lin. He sustained a fractured right wrist and multiple contusions on his right arm and right leg. He also sustained a puncture wound to the inside of his left shin, about five inches below his knee. **Refer to Exhibit C - Photographs of Suspect Jackson's injuries and Exhibit D - Suspect Jackson's Medical Treatment Form, Treatment Instructions, and Medical Clearance for Booking**

Dr. Lin related that she was unable to determine if Suspect Jackson's injuries were caused during his fight with the other assault suspects or from the force used by the deputies. **Refer to Exhibit E - Office Correspondence from Sgt. Nee regarding the doctor's statements**

Suspect Gallardo was treated for pepper spray at the City Walk Station by [redacted] a Universal Studios Medical Technician and later released.

Deputies Ahmad and [redacted] sustained no injuries during the arrests of Suspects Jackson and Gallardo. **Refer to Exhibit F - Photograph of Deputy Ahmad and Exhibit G - Photograph of Deputy** [redacted]

PHYSICAL EVIDENCE:

None

INVESTIGATOR OBSERVATIONS:

The location of the incident was at Universal Studios City Walk. There were several hundred people at the location at the time of the incident. **Refer to Exhibit H - Photographs of the area and Exhibit I - Video tape of the arrest of Suspect Jackson**

WEAPONS USED BY DEPUTY PERSONNEL:

Deputy Ahmad used his pepper spray and his Department approved expandable baton.
Deputy [redacted] used his pepper spray.

WEAPONS USED BY SUSPECT:

Suspect Jackson swung at the deputies with the unattached side of Deputy Ahmad's handcuffs.

PROPERTY DAMAGE:

None

CRIMINAL INVESTIGATOR/CHARGES FILED:

INVESTIGATOR'S NAME: **Ronald Sabatine** Emp. # [redacted]
DEPUTY DISTRICT ATTORNEY: **Victoria Pasternack**
COURT: **Beverly Hills Court**
CHARGES: 245 (c) P.C., 422 P.C., & 594 (b)(1) P.C. Filed on **Suspect Jackson**
148 (a)(1) P.C. & 647 (f) P.C. Filed on **Suspect Gallardo**
CASE FILED: 09-10-02
COURT DATE: 01-09-03
CASE NO. SA046423

LIGHTING AND WEATHER CONDITIONS:

This incident occurred about 0050 hours. There were numerous overhead street lights at Universal City Walk in addition to lights from the businesses at the location.

INVOLVED EMPLOYEE'S STATEMENTS:

Prior to their interviews, each of the involved deputies read and signed the Administrative Rights/Force Review Admonition. Both deputies requested representation from ALADS. Mitch Kander, Attorney from Green and Shinee was present during the interviews. All of the interviews were tape recorded and summarized as follows:

DEPUTY KAMAL AHMAD

Deputy Ahmad was interviewed at Internal Affairs Bureau on September 17, 2002, at 1534 hours, by Sergeants William Hines and Elier Morejon.

Deputy Ahmad told IAB investigators that on the date of the incident, he and his partner, [redacted] responded to a fight call regarding a "major brawl" at Jillian's Nightclub. **Refer to Exhibit J - Video tape of fight at Jillian's**

As they were going to the location, he saw a male Black (Suspect Jackson) and a male Hispanic (Suspect Gallardo) arguing and preparing to fight. Suspect Jackson was yelling, cursing and flailing his arms. He appeared out of control and "under the influence of something." Deputy Ahmad tried to calm Suspect Jackson, however, Jackson would not listen, nor comply with Deputy Ahmad. Deputy [redacted] talked to Suspect Gallardo.

Suspect Jackson would not calm down, so Deputy Ahmad removed his pepper spray and warned Jackson that he would spray him if he did not calm down. Suspect Jackson then complied and turned around to allow Deputy Ahmad to conduct a cursory search. Deputy Ahmad put his pepper spray away and conducted a cursory search. As Deputy Ahmad was conducting the pat down, Suspect Jackson became agitated again. Deputy Ahmad wanted to get Jackson handcuffed as quickly as possible to control the situation. He placed one cuff on the left wrist of Jackson, however, Jackson was so large that Deputy Ahmad could not get the right wrist cuffed. Deputy Ahmad then called over to Deputy [redacted] to come and help him. Suspect Jackson started to "overpower" Deputy Ahmad, so Ahmad pushed Suspect Jackson away. Due to Jackson's size, Deputy Ahmad backed away and removed his pepper spray. He ordered Suspect Jackson to turn around, however, Jackson refused. Deputy Ahmad and Deputy [redacted] pepper sprayed Suspect Jackson, but it did not have any effect. Suspect Jackson told the deputies that he was going to kill them. Suspect Jackson then started to swing the loose handcuff at the deputies. Suspect Jackson started saying something to the effect that he was a veteran and "they didn't let him save the babies." Jackson appeared to possibly be under the influence of PCP or had "some mental conditions."

Suspect Jackson then started to run westbound in City Walk, away from the deputies and toward the crowd near the theaters. He started to swing the cuff at other people. In order to prevent him from striking anyone, Deputy [redacted] sprayed Jackson again, but once again the spray did not have any effect. Deputy Ahmad took out his baton and ordered the suspect to stop. The suspect ignored the command, so Deputy Ahmad struck Suspect Jackson once on the right shin, losing control of his baton. Deputy Ahmad retrieved his baton as the suspect continued going westbound toward a flower cart. Jackson continued to flail his arms and yell at the deputies that he was going to kill them.

At this point, Deputy Ahmad said his fear was heightened due to the fact that he had struck the suspect on the shin with a heavy blow of a baton and it seemed to have absolutely no effect. Both deputies gave the suspect more commands to get on the ground and he again refused. Deputy Ahmad then struck the suspect's right arm with his baton and again it appeared to have no effect. Suspect Jackson started walking toward a group of security officers and Deputy Ahmad struck him a third time on the right shin. Jackson again told him that he was going to kill them. Deputy Ahmad stuck Jackson again on the right shin and again it had no effect. After each baton strike, Jackson was given orders to get down, all of which he ignored. Fearing that the suspect was going to start running again, Deputy Ahmad struck the suspect again on his right hand with the baton. This strike appeared to affect the suspect. The suspect stopped and started talking about Desert Storm and the "babies." Suspect Jackson then said, "If you stop hitting me, I'll get down." Deputy [redacted] then grabbed the suspect's arms and Deputy Ahmad grabbed the suspect's right arm and together they guided him to the ground and handcuffed him.

During the incident, the suspect was pepper sprayed several times and struck five times with an expandable baton.

After Suspect Jackson was handcuffed, he was cooperative. Deputy Ahmad attempted to contact Sergeant [redacted] on his radio, however, he was unable to reach him. The deputies helped Jackson to his feet and walked him to the holding cell at Universal Studios City Walk Substation. Once inside the holding cell, Suspect Jackson started kicking holes in the walls. **Refer to Exhibit K - Photographs of the holes in holding cell**

About ten minutes after arriving at the City Walk Station, Deputy Ahmad advised Sergeant [redacted] of the force used on Suspect Jackson, including the baton strikes.

"Paramedics" were requested and arrived to treat Suspect Jackson.

> **IAB Note:** [redacted] an Emergency Medical Response Technician assigned to Universal Studios, responded and treated Suspect Jackson for the pepper spray. He is not a paramedic. **Refer to his statements under Witness Statements**

Deputy Ahmad did not recall any conversation with Sergeant [redacted] regarding transporting Suspect Jackson to a hospital for treatment. Deputy Ahmad recalled overhearing Sergeant [redacted] on the phone relating the incident to the person on the other end of the line.

Deputy Ahmad did not know if anyone ever took Suspect Jackson to the hospital.

Deputy Ahmad could not recall what time he left work that morning and he could not recall if Suspect Jackson was still at City Walk Station.

Deputy Ahmad did not hear Suspect Jackson ever complain of any pain, nor ask to go to a hospital.

Regarding the policy on significant use of force, Deputy Ahmad said that it was his understanding that a suspect shall be taken to the hospital to get an approval for booking. If a suspect refused treatment, he would still be transported to a hospital and refuse treatment to the doctor.

Deputy Ahmad concluded by saying that he thought Suspect Jackson needed to go to the hospital for an approval for booking, however, his only responsibility was to notify his supervisor of the force used and it was his supervisor's responsibility to arrange transportation for the suspect. **Refer to Exhibit L - Incident Report written by Deputy Ahmad**

DEPUTY [redacted]

Deputy [redacted] was interviewed at Internal Affairs Bureau on September 17, 2002, at 1418 hours, by Sergeants William Hines and Elier Morejon.

Deputy [redacted] told IAB investigators that on the date of the incident, while working Universal Studios City Walk, he received a call of a bar fight at Jillian's Nightclub. He and his partner, Deputy Kamal Ahmad, responded to the call. On their way to the call, they received additional information that people were running out of the nightclub. They saw two individuals yelling at each other, preparing to fight. Deputy [redacted] believed the two were related to the call. He and Deputy Ahmad approached the two and tried to calm them down. Both of the individuals were belligerent and uncooperative. They separated the two and Deputy [redacted] spoke to one (later identified as Suspect Jose Gallardo) and Deputy Ahmad spoke to Suspect Jackson. Deputy Ahmad recalled that Suspect Jackson was "a very big man and he looked more dangerous based on his behavior." Deputy Ahmad was attempting to deal with Suspect Jackson, while Deputy [redacted] was talking to Suspect Gallardo. Gallardo was extremely drunk and uncooperative. Suspect Gallardo attempted to go around Deputy [redacted] to get to Suspect Jackson. Deputy [redacted] ultimately pepper sprayed Suspect Gallardo. Deputy Ahmad conducted a "pat down" of Suspect Jackson while Deputy [redacted] attempted to handcuff Gallardo. Deputy Ahmad then told Deputy [redacted] that he needed help in handcuffing Suspect Jackson. As Deputy [redacted] handcuffed Gallardo, he saw Suspect Jackson break away from Deputy Ahmad. Suspect Jackson had one handcuff attached to his left wrist.

Suspect Jackson "flailed" the loose handcuff toward the deputies several times and continued his "belligerent and uncooperative behavior." Deputy [redacted] felt Jackson's behavior was "assaultive." Suspect Jackson started walking toward the main plaza where there was a large crowd. He started screaming that he was in Desert Storm and that he "couldn't save the babies." Suspect Jackson continued to swing the loose handcuff. Suspect Jackson was yelling at the deputies saying something to the effect that he "would kick their asses." At some point, Deputy Ahmad pepper sprayed Suspect Jackson, however, it had no effect. Deputy [redacted] pepper sprayed Suspect Jackson four times with no effect. At this time, Pinkerton Security Officers arrived and took control of Suspect Gallardo.

Suspect Jackson was still ignoring the deputies' orders to cooperate and get down on the ground. Deputy [redacted] believed that Suspect Jackson was possibly under the influence of PCP. Jackson continued to swing the cuff toward the deputies and Deputy Ahmad struck Jackson once with his expandable baton, on the right arm. The baton strike did not appear to have any effect on Suspect Jackson. Suspect Jackson said, "If you hit me again, I'm going to fucking kill you!" Deputy Ahmad stuck Jackson two more times on the legs with the baton, again with no obvious effect. Deputy [redacted] pepper sprayed Jackson again, but it had no effect. Suspect Jackson finally looked at Deputy Ahmad and said, "If you stop hitting me, I will lay down on the ground." Deputy [redacted] then got behind Jackson and grabbed his left arm. Together, Deputies [redacted] and Ahmad took Suspect Jackson to the ground and handcuffed him. Suspects Jackson and Gallardo were then escorted to the holding cell at City Walk Station, where Deputy [redacted] reported his actions and use of force to Sergeant [redacted]

"Paramedics" were requested to treat the suspects regarding the force and use of pepper spray.

> **IAB Note:** [redacted] an Emergency Medical Response Technician assigned to Universal Studios, responded and treated Suspect Jackson for the pepper spray. He is not a paramedic. **Refer to his statements under Witness Statements**

Deputy [redacted] said that there was never a discussion with Sergeant [redacted] regarding transporting Suspect Jackson to the hospital for an "okay to book." Additionally, Deputy [redacted] did not hear Suspect Jackson say that he wanted to go to the hospital.

Deputy [redacted] said that he did not recall what time he left work that morning, but estimated that it was between 0400 hours and 0500 hours. He was sure that Suspect Jackson had already been transported from Universal by the time he left work.

Regarding treatment of Suspect Jackson, Deputy [redacted] said he believed that since Jackson was treated by a paramedic, the obligation for treatment was fulfilled. **Refer to Exhibit M - Supplemental Report written by Deputy [redacted]**

<u>WITNESSES STATEMENTS:</u>

<u>SWORN:</u>

LIEUTENANT KATHERINE PATTULLO

Lieutenant Pattullo was interviewed on the date of the incident, September 7, 2002, at 2014 hours, at West Hollywood Station by Internal Affairs Bureau Sergeants William Hines and Elier Morejon. Prior to being interviewed, Lieutenant Pattullo read and signed the Witness Administrative Rights Admonition. She stated that she understood the form.

Lieutenant Pattullo was assigned as the Watch Commander at West Hollywood Station during the time of the incident at Universal Studios City Walk.

She told IAB investigators that she received a call from Sergeant [redacted] between 0145 hours and 0200 hours on the date of the incident, and he advised her of a use of force incident which had occurred at City Walk.

> **IAB Note:** She also explained that a sergeant is usually assigned on the weekends at Universal Studios City Walk. In the event of any "use of force," the sergeant is to notify the West Hollywood Station Watch Commander. The West Hollywood Station Watch Commander would not leave the station; the suspect would be transported to West Hollywood Station for an interview.

Sergeant [redacted] did not have "a lot of information" at the time he first called Lieutenant Pattullo. He said that there had been a large fight involving fifteen to twenty people and they were sorting out the suspects and victims. Sergeant [redacted] also advised her that they had one suspect that had been uncooperative and when the deputies attempted to handcuff him, he broke away with one side of the handcuff attached to his wrist. The suspect was pepper sprayed three times, with little or no effect, and then the deputies ultimately used their batons, striking the suspect on his arms and legs. The suspect was then arrested. Lieutenant Pattullo said she then asked Sergeant [redacted] if the suspect was on his way to the hospital and he told her, "No, the paramedics are looking at him now." She replied, "Okay, then you'll let me know when and where he is transported?" and Sergeant [redacted] answered, "Yes, I'll let you know." The phone conversation concluded with Lieutenant Pattullo telling Sergeant [redacted] to call her back with the completed information on the arrest and what the paramedics advised.

About one hour later, when she had not heard from Sergeant [redacted] she called him. He told her that they were still working on the PCD (Probable Cause Determination) and sorting everything out due to five or six people in custody. Lieutenant Pattullo then asked Sergeant [redacted] "Is the guy going to be MT'd, are you sending him to the hospital?" Sergeant [redacted] replied, "Yes, I'm going to see about getting him down to Cedars, so it will be closer to you when you do your interview."

Sometime after this conversation and before 0400 hours, Sergeant [redacted] called Lieutenant Pattullo and told her that the first four (suspects) were on their way to West Hollywood Station. She asked if they were the suspects involved in the use of force and he told her, "No." She then asked, "Okay, so the two that were involved in the force are still up there, right? Because the guy has to go to the hospital." Sergeant [redacted] said, "Yes, we're getting ready to send them."

At about 0400 hours, Lieutenant Pattullo had not received a phone call, nor an email from Sergeant [redacted] regarding the status of the arrest, so she called him again. Sergeant [redacted] told her that they were still working on the PCD's.

At about 0425 hours, deputies from City Walk arrived at West Hollywood Station with the first four suspects and the PCD's on each one.

At about 0430 hours she called Sergeant [redacted] again, however, she could not remember if it was this phone call or the phone call at 0300 hours that Sergeant [redacted] told her that he was going to send the suspect to Cedars Hospital.

At about 0440 hours, she was relieved by Lieutenant Henry Reed and she "passed everything on to Henry." She did not know at this time if the suspect had been taken to the hospital. She reiterated that she had called Sergeant [redacted] "every hour" when she didn't get any updated information.

> **IAB Note:** Later during the interview, Lieutenant Pattullo said that she had found out sometime after her first conversation (possibly the second phone conversation) with Sergeant [redacted] that the paramedics had flushed out the suspect's eyes. Sergeant

[redacted] advised her that the paramedics were treating the suspect and Lieutenant Pattullo said, "Okay, so they'll tell you they need to transport him or if, you know, what the extent is here (of injuries) and you'll let me know where he's going."

At about 1700 hours, when she returned to work and relieved Lieutenant Reed, he told her that the suspect had arrived at West Hollywood Station earlier that morning and he had not yet been taken to the hospital before coming to the station. According to Lieutenant Pattullo, during an interview with Lieutenant Reed, the suspect said his hand hurt. The suspect was crying and talked about being in the Gulf War. Lieutenant Reed then had West Hollywood Station deputies transport the suspect to Cedars-Sinai Hospital for treatment. It was at that time that Lieutenant Reed first discovered that Sergeant [redacted] had not sent the suspect to the hospital.

DEPUTY DON WALKER

Deputy Walker was interviewed on September 26, 2002, at 1746 hours, at Universal Studios City Walk by Internal Affairs Bureau Sergeants William Hines and Elier Morejon. Prior to being interviewed, Deputy Walker read and signed the Witness Administrative Rights Admonition. He stated that he understood the form.

Deputy Walker told IAB investigators that he recalled the incident and Suspect John Jackson. Deputy Walker related that he did not witness the arrest of Suspect Jackson. He first recalled seeing Jackson in the holding cell, however, he could not remember the time. When he first saw Suspect Jackson, Jackson was yelling, screaming and cursing. Jackson appeared to be "high or drunk." **Refer to Exhibit N - Video tape of Suspect Jackson in holding cell**

> **IAB Note:** Deputy Walker was shown a photograph of Suspect Johnson. The photo depicts him and Deputy Inital in the holding cell with Jackson. **Refer to Exhibit C - Photograph of Suspect Jackson**

Deputy Walker said that he could not recall hearing Suspect Jackson say that he was injured or wanted to go to the hospital. Deputy Walker did not see Jackson ever treated for his injuries, however, he heard later that the suspect was "seen" by paramedics. Deputy Walker was later told that Jackson had been struck by a baton.

Sergeant [redacted] assigned Deputy Walker to transport Suspect Jackson to West Hollywood Station. Deputy Walker said that he was not instructed to transport the suspect to the hospital for treatment, nor an "okay to book." Deputy Walker said that he arrived at West Hollywood Station at about 0500 hours. On arrival, he finished the booking procedures on the suspect and then had a short conversation with the Watch Commander, Lieutenant Reed, regarding the PCD (Probable Cause Determination). Lieutenant Reed looked over the paperwork at that time.

Deputy Walker related that he "was under the impression" that the suspect had already been checked by the paramedics and given an "okay to book." He did not discuss the details of Jackson's arrest

with Lieutenant Reed, since he (Walker) had not been involved in the arrest. Deputy Walker vaguely recalled Lieutenant Reed asking if the suspect had been "okayed to book" and Deputy Walker believed his response was "yes." This answer was based on the fact that Deputy Walker heard that the suspect was seen by paramedics and that he was directed to transport the suspect to West Hollywood Station.

During the transportation of the suspect to West Hollywood Station, he never asked to go to a hospital, nor did he ever complain of pain. Additionally, the suspect did not complain of pain during the removal of the handcuffs by Deputy Walker.

> **IAB Note:** Later in the interview, Deputy Walker was asked if he felt that a suspect being seen by a paramedic was an authorization for booking and he related that his understanding of the policy was that if a suspect was struck by a baton, the suspect would need to go to the hospital to be seen by a doctor to make the determination for an "okay to book." Deputy Walker said that he did not know how long the suspect had been at City Walk, so therefore, the suspect could have already been taken to a hospital.

After Deputy Walker finished his detail at West Hollywood Station, he returned to City Walk. He did not transport the suspect to the hospital. It was his understanding that he was only assigned to transport the suspect to West Hollywood Station.

DEPUTY LLOYD McCULLOUGH

Deputy McCullough was interviewed on September 26, 2002, at 1806 hours, at Universal Studios City Walk by Internal Affairs Bureau Sergeants William Hines and Elier Morejon. Prior to being interviewed, Deputy McCullough read and signed the Witness Administrative Rights Admonition. He stated that he understood the form.

Deputy McCullough told IAB investigators that he recalled the incident and Suspect John Jackson. Deputy McCullough related that he did not witness the arrest of Suspect Jackson. He first recalled seeing Suspect Jackson in the holding cell at City Walk Sub-Station. He could not remember the time. Jackson was sitting in the cell cursing at everyone, yelling something to the effect, "Fuck you mother fucker! If you take these handcuffs off, I'll fuck all you mother fuckers up!"

Deputy McCullough said he never heard Suspect Jackson complain of any pain, nor did he hear him say that he needed to go to the hospital. Additionally, he did not hear any discussions regarding taking the suspect to the hospital for an "okay to book." Deputy McCullough added that he did not know at the time that the suspect had been struck with a baton.

DEPUTY KINA INITAL

Deputy Inital was interviewed on September 26, 2002, at 2116 hours, at Carson Station by Internal Affairs Bureau Sergeants William Hines and Elier Morejon. Prior to being interviewed, Deputy Inital read and signed the Witness Administrative Rights Admonition. He stated that he understood the form.

Deputy Inital told IAB investigators that he recalled the incident and Suspect John Jackson. Deputy Inital related that he did not witness the arrest of Suspect Jackson. He first recalled seeing the suspect in the holding cell. He was ordered by Sergeant [redacted] to assist the "paramedic" during the treatment of Suspect Jackson. Deputy Inital did not recall hearing the suspect say that he was injured, nor did he hear the suspect say he needed to go to the hospital. He recalled hearing the suspect say that he had been pepper sprayed. The "paramedic" then washed the suspect's eyes.

Deputy Inital did not recall how long the suspect was in the cell, nor did he recall what time the suspect left the cell.

He did not hear any discussion regarding the suspect being transported to the hospital for an "okay to book." Deputy Inital did not know that the suspect was struck with a baton, nor did he know who transported the suspect to West Hollywood Station.

Deputy Inital said that it is his understanding that a suspect is required to go to the hospital for an "okay to book," however, he did not know if Suspect Jackson was transported to the hospital on the night of the incident.

DEPUTY DOUGLAS GILLIES

Deputy Gillies was interviewed on September 30, 2002, at 1203 hours, at Universal Studios City Walk by Internal Affairs Bureau Sergeant William Hines. Prior to being interviewed, Deputy Gillies read and signed the Witness Administrative Rights Admonition. He stated that he understood the form.

Deputy Gillies said that he recalled the incident and Suspect John Jackson. Deputy Gillies related that he did not witness the arrest of Suspect Jackson. He first recalled seeing the suspect just after he was handcuffed on City Walk. There was a crowd being dispersed at the time and he subsequently arrested two females for resisting arrest. He later saw Suspect Jackson in the holding cell, sometime after 0200 hours. Jackson was "agitated and animated." Deputy Gillies said that he did not know the details of Jackson's arrest and did not know that he had been struck with a baton. During the time that Suspect Jackson was in the cell, Deputy Gillies did not hear him say that he was injured or needed to go to the hospital.

Regarding the Universal Studios A.M.A. (Against Medical Advice) Release Form, Deputy Gillies said that the form is not an "okay to book." **Refer to Exhibit O - Universal Studios A.M.A. form**

DEPUTY JOHN BAUER

Deputy Bauer was interviewed on September 30, 2002, at 1321 hours, at Lawndale Sub-Station by Internal Affairs Bureau Sergeants William Hines and Elier Morejon. Prior to being interviewed, Deputy Bauer read and signed the Witness Administrative Rights Admonition. He stated that he understood the form.

Deputy Bauer told IAB investigators that he recalled the incident and Suspect John Jackson. Deputy Bauer related that he did not witness the arrest of Suspect Jackson. He first recalled seeing the suspect in the holding cell, yelling and screaming, "I'm a karate expert, I'll take you on," and something about "fighting in wars, fighting other people, don't laugh at me!" He was also having a verbal altercation with other suspects. Deputy Bauer did not hear Jackson say that he was injured and needed to go to the hospital. Deputy Bauer related that he did not know that the suspect had been struck with a baton.

Deputy Bauer was not familiar with the Universal Studios A.M.A. Release Form.

LIEUTENANT HENRY REED

Lieutenant Reed was interviewed on October 17, 2002, at 1432 hours, at West Hollywood Station by Internal Affairs Bureau Sergeants William Hines and Elier Morejon. Prior to being interviewed, Lieutenant Reed read and signed the Witness Administrative Rights Admonition. He stated that he understood the form.

Lieutenant Read told IAB investigators that he was assigned as the Watch Commander at West Hollywood Station on the morning after the incident at Universal Studios City Walk. Lieutenant Reed recalled the incident involving the arrest of Suspect Jackson. He was first advised of Suspect Jackson's arrest by Lieutenant Pattullo when he relieved her that morning. She told him that City Walk deputies had made an arrest earlier in the morning and during the arrest they had used pepper spray and a baton. She also told him that she planned on interviewing the suspect, however, he had not arrived yet. Lieutenant Pattullo indicated to Lieutenant Reed that she had had several phone calls with "City Walk" regarding Suspect Jackson. Lieutenant Reed advised her that he would interview the suspect once he arrived.

Lieutenant Reed related that it was his understanding that the suspect was "receiving some kind of medical treatment" then he would be transported to a hospital for an "okay to book" prior to arriving at West Hollywood Station.

At about 0545 hours, Suspect Jackson arrived at West Hollywood Station from Universal City Walk for booking. According to Lieutenant Reed, Jackson had been at Universal City Walk for some time before being transported. Lieutenant Reed was getting ready to do the morning briefing and told the deputy that he would interview Jackson after he was booked. The deputy then turned Jackson over to the West Hollywood Station jailer.

IAB Note: Lieutenant Reed could not recall the name of the transporting deputy. It was later determined that it had been Deputy Walker. Lieutenant Reed could not recall if he specifically asked the deputy if the suspect had been "okayed to book" prior to arriving at West Hollywood Station.

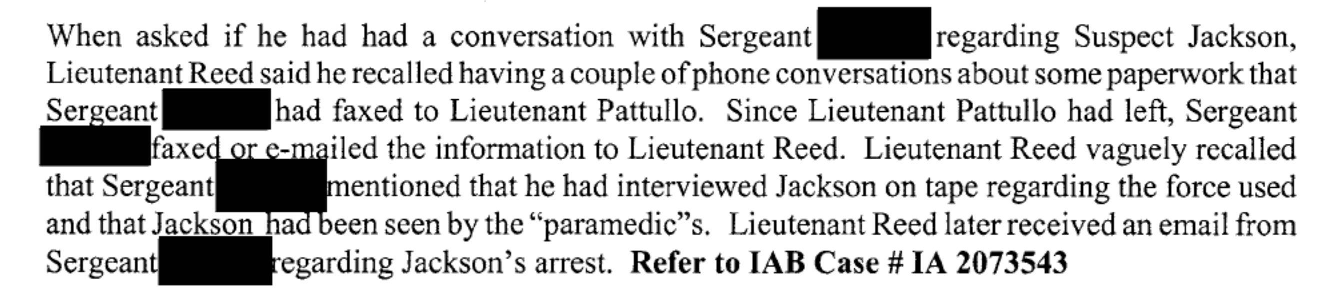
After briefing was concluded, Lieutenant Reed obtained the video camera and went into the jail to interview Suspect Jackson. As Jackson was being fingerprinted, Lieutenant Reed noticed that Jackson was "grimacing" with his right hand and could not move it. Lieutenant Reed asked Jackson what had happened to his hand and Jackson said something to the effect that he had hurt his hand, but he could not recall how he did it. Lieutenant Reed then interviewed Jackson on video.

IAB Note: According to the tape, Lieutenant Reed interviewed Jackson at 0732 hours. The interview was ten minutes. During the interview, Jackson basically said that he did not recall what happened. **Refer to Suspect Jackson's statements**

According to Lieutenant Reed, it was during this interview that he noticed bruises on Jackson's right arm. Lieutenant Reed then asked the jailer if Jackson had an "okay to book" and he was told no. Lieutenant Reed explained it was at this time, he mentioned "a couple of nice words" to the jailer. Lieutenant Reed immediately advised the jailer that Jackson needed to go to the hospital.

Suspect Jackson was then taken to Cedars-Sinai Medical Center by Deputy Mitchell.

IAB Note: According to Jackson's Medical Clearance Form, he was medically cleared for booking on 09-07-2002 at 1155 hours. Deputy Mitchell's log indicates he transported Jackson to Cedars-Sinai Medical Center at 0933 hours.



When asked if he had had a conversation with Sergeant [redacted] regarding Suspect Jackson, Lieutenant Reed said he recalled having a couple of phone conversations about some paperwork that Sergeant [redacted] had faxed to Lieutenant Pattullo. Since Lieutenant Pattullo had left, Sergeant [redacted] faxed or e-mailed the information to Lieutenant Reed. Lieutenant Reed vaguely recalled that Sergeant [redacted] mentioned that he had interviewed Jackson on tape regarding the force used and that Jackson had been seen by the "paramedic"s. Lieutenant Reed later received an email from Sergeant [redacted] regarding Jackson's arrest. **Refer to IAB Case # IA 2073543**

Regarding the Universal Studios A.M.A. Form, it was Lieutenant Reed's understanding that the form was used in cases where the suspect was pepper sprayed. The form is not an "okay to book." It was further his understanding that Suspect Jackson should have been transported to a hospital for an "okay to book" since an impact weapon was used.

DEPUTY JOHN MITCHELL

Deputy Mitchell was interviewed on October 17, 2002, at 1518 hours, at West Hollywood Station by Internal Affairs Bureau Sergeants William Hines and Elier Morejon. Prior to being interviewed, Deputy Mitchell read and signed the Witness Administrative Rights Admonition. He stated that he understood the form.

Deputy Mitchell was assigned to West Hollywood Station on the morning of the incident at Universal Studios City Walk and he recalled transporting Suspect Jackson to Cedar-Sinai Medical Center.

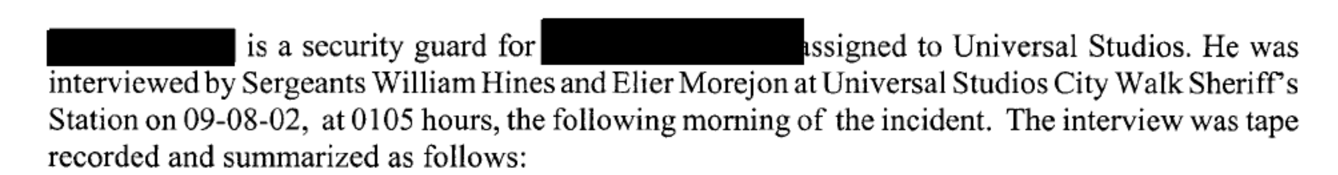
Deputy Mitchell told IAB investigators that he was told by the Watch Sergeant at about 0915 hours to transport Jackson. Sergeant Bruce Thomas asked Deputy Mitchell to find out from the doctor if Jackson's wrist was broken and if it was, what caused the fracture. He left West Hollywood Station with Suspect Jackson at 0933 hours, according to his DDWS. The drive only took about two or three minutes according to Deputy Mitchell. Suspect Jackson was seen about thirty minutes later and the exam took a "couple of hours." They returned to the station at about 1250 hours. **Refer to Exhibit D - Medical Clearance for Booking**

Deputy Mitchell related that the doctor could not precisely determine what caused the fracture to Jackson's arm. **Refer to Exhibit E - Office Correspondence regarding the doctor's statements** Deputy Mitchell told IAB investigators that when he started his shift at 0500 hours, Suspect Jackson was at West Hollywood Station. Deputy Mitchell was not detailed to take Jackson to the hospital until 0915 hours.
Regarding the Universal Studios A.M.A. form, Deputy Mitchell said he was not familiar with the form.

According to Deputy Mitchell, Jackson said he had "told them" that he (Jackson) needed to go to the hospital, however, Deputy Mitchell was uncertain if "them" meant the deputies at City Walk or the deputies at West Hollywood.

CIVILIAN:

[redacted]



[redacted] is a security guard for [redacted] ssigned to Universal Studios. He was interviewed by Sergeants William Hines and Elier Morejon at Universal Studios City Walk Sheriff's Station on 09-08-02, at 0105 hours, the following morning of the incident. The interview was tape recorded and summarized as follows:

Mr. [redacted] told IAB investigators that at the time of the incident, he responded to a disturbance call at Jillian's (Nightclub). When he arrived, he saw that a few people were already detained. He was

then advised of another disturbance involving an irrate male. He responded to the area near the Cinema Plaza and saw a crowd of about fifty people and a male Hispanic, handcuffed on the ground. He also saw Deputies Ahmad and [redacted] ordering a male Black (Suspect Jackson) to put his hands behind his back. The suspect had one handcuff attached to his right wrist and was swinging the other side of the handcuff toward the deputies. The suspect was screaming profanities at the deputies and refused to obey their commands. The suspect yelled something to the effect, "I'll kill you Mother Fuckers!"

Deputy Ahmad removed his expandable baton (Asp) and struck the suspect a "couple of times" on his left knee. The baton strikes appeared to have no effect on the suspect. Deputy Ahmad again struck the suspect once again on the left knee. Mr. [redacted] said his attention was drawn to the crowd and did not see any other strikes to the suspect. He did not see the suspect taken to the ground, nor did he see the deputies use pepper spray. **Refer to Exhibit P - Written Statement by [redacted]**

[redacted]

[redacted] is employed as a waiter at [redacted] at Universal Studios. He was interviewed by Sergeants William Hines and Elier Morejon at Universal Studios City Walk Sheriff's Station on 09-08-02, at 0120 hours, the following morning of the incident. The interview was tape recorded and summarized as follows:

Mr. [redacted] told IAB investigators that at the time of the incident he was working and saw the suspect yelling and cussing at the deputies. The deputies ordered the suspect on the ground, however, he refused. One of the deputies took out his "metal pole" and again ordered the suspect down on the ground. The suspect refused and the deputy swung one time and struck the suspect's leg. The strike did not affect the suspect. The deputy again ordered the suspect down to the ground and again the suspect refused. The deputy took "a couple more swings" and the suspect still did not cooperate. Mr. [redacted] felt that the suspect was on PCP.

Mr. [redacted] then saw the two deputies take the suspect down to the ground. The security guards then helped the deputies arrest the suspect.

Mr. [redacted] said that from his distance from the incident, he did not see if the suspect had one wrist handcuffed and swinging it at the deputies. He did see the suspect swinging at the deputies and heard him "cussing." Mr. [redacted] did not see the deputies pepper spray the suspect.

Mr. [redacted] concluded by saying that the incident "looked totally by the book and the officers did not have much of a choice."

[redacted]

[redacted] is employed as a [redacted] at Universal Studios. He was interviewed by Sergeants William Hines and Elier Morejon at Universal Studios City Walk Sheriff's Station on 09-08-02, at 0131 hours, the following morning of the incident. The interview was tape recorded and summarized as follows:

Mr. [redacted] told IAB investigators that at the time of the incident he was [redacted] and saw the suspect running around with a handcuff on one wrist. The suspect was pointing at the deputies and waving the handcuff around. Deputy Ahmad had his baton out and tried to hit the suspect's leg. Another deputy was trying "to calm down" the suspect. Mr. [redacted] saw Deputy Ahmad strike the suspect once or twice on the leg. He did not see him hit the suspect's hand. A short time later, the deputies calmed down the suspect and the suspect was taken to the ground and handcuffed with the aid of the security guards. Mr. [redacted] did not see the deputies use pepper spray.

> **IAB Note:** Mr. [redacted] viewed the incident [redacted] There is no [redacted]

[redacted]

[redacted] is employed as a "[redacted]" security guard for Universal Studios City Walk.

> **IAB Note:** A "[redacted]" security guard is an off-duty sworn officer working plain clothes security. Mr. [redacted] is an LAPD officer/Transit Rail Division.

He was interviewed by Sergeants William Hines and Elier Morejon at Universal Studios City Walk Sheriff's Station on 09-08-02, at 0144 hours, the following morning of the incident. The interview was tape recorded and summarized as follows:

Mr. [redacted] told IAB investigators that at the time of the incident, he responded to a disturbance call at Jillian's (Nightclub). On his way to the call, he was on the second level of City Walk with his partner [redacted].

> **IAB Note:** [redacted] also is employed as a "[redacted]" security guard. He wrote his account of the incident and it was substantially the same as his partner's statement. He was not interviewed. **Refer to Exhibit Q - Written Statement by [redacted]**

He heard some screaming below him and when he looked over the railing toward the first floor, he saw the deputies attempting to handcuff a male Black. The suspect was not cooperating. The suspect kept moving around and the deputy was able to only get one hand of the suspect cuffed. The deputies then pushed the suspect away to gain a safe distance and pepper sprayed the suspect. Mr. [redacted] noticed that the suspect was "pretty big!"

Deputy Ahmad ordered the suspect onto the ground, however, the suspect ignored the commands. It appeared that the suspect was attempting to incite the crowd by saying, "I hope everyone is watching. Can you be my witness?" Deputy Ahmad continued to order the suspect down. The suspect again ignored the deputy and continued to swing the handcuff. Mr. [redacted] felt the open handcuff was a potential weapon. Deputy Ahmad's partner O.C. sprayed the suspect, but it had no effect.

The suspect began walking toward the movie theater and was yelling, "I'm going to kill you!" It appeared that the suspect was under the influence of alcohol. The deputies followed and continued to order the suspect to the ground. The suspect refused and Deputy Ahmad struck the suspect twice near his knees and once on the wrist with his asp/baton. The strikes did not have any effect on the suspect. Deputy Ahmad put down his baton and both deputies along with Mr. [redacted] grabbed the suspect and took him to the ground where he was handcuffed. The suspect did not resist being taken to the ground.

Mr. [redacted] could not recall which wrist was struck but guessed it was the left wrist. **Refer to Exhibit R - Written Statement by [redacted]**

[redacted]

[redacted] is self-employed at Universal Studios, where she has [redacted] located near the Cinema Plaza. She was interviewed by Sergeants William Hines and Elier Morejon at Universal Studios City Walk Sheriff's Station on 09-08-02, at 0218 hours, the following morning of the incident. The interview was tape recorded and summarized as follows:

Ms. [redacted] told IAB investigators that at the time of the incident she was closing her [redacted] and she heard shouting and yelling. She looked and saw the suspect "ranting and raving about something." She could not fully understand what he was saying. The suspect was walking toward her. Two deputies were "cautiously" following the suspect at a close distance. As the suspect was within twenty to thirty feet of her, the deputies "attempted to bring him down." She also noticed that one of the suspect's hands was handcuffed and he had just "obviously broken away." She thought the left hand was the one handcuffed, but was not sure. One of the deputies then used his "billy club" and hit the suspect in his "knee area in an obvious attempt to bring him down, which was having no effect." The deputy "repeatedly" told the suspect to get down and "repeatedly" struck him around the knee. The suspect "would not go down." The other officer held, what she believed was a gun, pointed at the suspect's head. Another officer came from the opposite direction to assist, and while the suspect was talking to the officer with the "billy club," this officer was able to get control of the suspect's hands and take him to the ground.

> **IAB Note:** Later in the interview, Ms. [redacted] was asked to explain "repeatedly" struck the suspect. She said that she saw the deputy hit the suspect at least three times and then she turned away because the incident was "disturbing" to her. She also said that she did not actually see the suspect swing the loose handcuff at the

deputies. Regarding what she believed to be a gun was possibly an OC cannister, since neither deputy said that they drew their weapons.

Ms. [redacted] concluded the interview by saying that she felt that the suspect was definitely a threat to her and he posed a "danger" to the public. The deputies were very cautious and careful in handling the dangerous situation.

[redacted]

[redacted] is a security guard for [redacted] assigned to Universal Studios. He was interviewed by Sergeants William Hines and Elier Morejon at Universal Studios City Walk Sheriff's Station at 1737 hours, on September 26, 2002. The interview was tape recorded and summarized as follows:

Mr. [redacted] told IAB investigators that at the time of the incident, he responded to a disturbance call at Jillian's (Nightclub). He responded and saw the deputies talking to two suspects. One of the suspects was already handcuffed. Deputy Ahmad was walking behind the second suspect that appeared to have been pepper sprayed and had a handcuff attached to his left hand. The suspect was screaming and yelling, "I'm going to kill you. I'm going to fuck you up." The other deputy directed Mr. [redacted] to take control of the suspect that was already handcuffed. He took the handcuffed suspect and had him sit on the ground. Mr. [redacted] then saw Deputy Ahmad pepper spray the other suspect in the face. The spray did not have any effect on the suspect, who continued to walk around and swing the loose handcuff. The suspect then pointed at Deputy Ahmad and said, "I'm going to kill you mother fucker!" Deputy Ahmad removed his baton and struck the suspect on the leg. The suspect did not appear to be affected by the baton strike. Deputy Ahmad hit the suspect again on the leg. Deputy Ahmad's partner then "rushed" the suspect from behind and handcuffed the suspect. The suspect was then taken to the sub-station. Mr. [redacted] did not see the suspect after that point. **Refer to Exhibit S - Written Statement by [redacted]**

[redacted]

[redacted] is [redacted] assigned to Universal Studios. Mr. [redacted] is not an Los Angeles County paramedic. He was interviewed by Sergeants William Hines and Elier Morejon at Universal Studios City Walk Sheriff's Station at 1814 hours, on September 26, 2002. The interview was tape recorded and summarized as follows:

> **IAB Note:** At the beginning of the interview, Mr. [redacted] was asked if he was familiar with the Sheriff's Department term "Okay to book." He answered that he had heard the term used before, however, he was not sure what it meant. It was explained that the term generally was to describe the procedure of taking an injured suspect or a suspect in which deputies had used significant force, to the hospital in order to be examined by a doctor. The doctor would then give an authorization for the suspect to be booked by the Department. After explaining the term to Mr.

[redacted] he was asked if it was ever his function to provide an "okay to book." He answered, "In those terms, no." It has never been his function to provide an "okay to book." He went on to explain that part of his duties have included the examination of someone to determine if they are seriously injured and if they need to go to the hospital.

Mr. [redacted] told IAB investigators that he recalled seeing Suspect Jackson in the holding cell at about 0100 hours. Mr. Jackson complained that his eyes burned due to being pepper sprayed. He also had a minor abrasion on his forehead. Mr. [redacted] was told that the suspect had been involved in an altercation with the deputies and that he had been pepper sprayed. Mr. [redacted] checked the suspect for any life threatening injuries and found none present. The suspect did have alcohol on his breath, however, he was not in an "altered level of consciousness." Mr. [redacted] added that if the suspect had been in an "altered state or altered level of consciousness" due to the alcohol, he would have requested "paramedic"s to take the suspect to the hospital since that could be a serious condition.

Mr. [redacted] said that his general impression of Suspect Jackson was that he had a history of depression. The suspect had uncontrollable crying, he was very violent inside the cell, he was kicking holes in the walls, and he would not settle down and answer questions. The suspect later answered questions asked by Mr. [redacted]

The suspect was subsequently treated by washing his eyes with water. Mr. [redacted] estimated that he spent approximately twenty-five to thirty minutes with the suspect.

Mr [redacted] vaguely recalled being told that the suspect had been struck with a baton, however, Mr. [redacted] could not find any signs of trauma related to the baton strikes. The suspect was specifically asked if he wanted to go to the hospital and he said, "No." Mr. [redacted] reiterated that Suspect Jackson's only complaint was burning to his eyes from the pepper spray.

Regarding the Universal Studios A.M.A. (Against Medical Advice) Release Form, Mr. [redacted] said that the form was originated and "constructed" by Universal Studios. The purpose of the form is to release the liability of Universal Studios when a patient is pepper sprayed. The patient is advised to go to the hospital for treatment after being pepper sprayed and if the patient refuses to go, they are required to sign the form. **Refer to Exhibit O - A.M.A. Release Form**

ADDITIONAL INTERVIEWS

Suspects **Fernando De La Torre, Francisco Ortega, Steve Alvarado and Kelvin Johnson** were arrested for assault in connection with the original call of a fight in this case. All were interviewed at West Hollywood Station by Sergeants William Hines and Elier Morejon. All suspects denied seeing Suspect Jackson being arrested by deputies. Additionally, they said they did not see any force used on Suspect Jackson. Their interviews were tape recorded and are included as a permanent

part of this case. Suspect **Jose Gallardo** was arrested in connection with this case and was interviewed by Sergeant [redacted] prior to being released. **Refer to Exhibit T - Video tape of Gallardo's interview and Refer to Miscellaneous Documents for Copies of all Suspects' Booking Records**

SUSPECT STATEMENTS:

JOHN JACKSON

Suspect Jackson was interviewed at 0413 hours at Universal Studios City Walk Substation by Sergeant [redacted] and later at 0732 hours at West Hollywood Station by the Watch Commander, Lieutenant Reed. In both interviews, Suspect Jackson related he could not remember what happened. The interviews were video taped. **Refer to Exhibit T - Video taped interview of Suspect Jackson by Sergeant [redacted] and Exhibit U - Video taped interview of Suspect Jackson by Lieutenant Reed**

Suspect Jackson was later interviewed at about 2331 hours on the date of the incident by Sergeants William Hines and Elier Morejon at Twin Towers Correctional Facility. He had been treated earlier for a fractured right wrist and a puncture wound to his left leg. The interview was tape recorded and summarized as follows:

Suspect Jackson told IAB investigators that on the evening of the incident at about seven o'clock, he arrived at Universal City Walk with about fifty friends for dinner. His friends worked at the YMCA. They were at dinner for a little over an hour, then about half of his friends went home and the other half stayed and went to Jillian's for a few drinks and to celebrate his birthday. While at Jillian's, Mr. Jackson had about three drinks. He then started dancing with some girls. Suddenly, he turned around and got hit in the face. He swung back and hit someone using his left hand. He was holding a drink in his right hand. His glasses fell off and he was seeing "red." He did not see who hit him, however, he saw about six guys running away from him.

Mr. Jackson related that he did not remember anything of the incident after this point. He said that he could only recall running. He did not remember being pepper sprayed, hit with a baton, nor handcuffed. He explained that he suffers from loss of memory due to Post Traumatic Stress Disorder from being at Desert Storm. He did not know how he had sustained any of his injuries.

> **IAB Note:** Later in the interview, Suspect Jackson said he did remember getting sprayed with pepper spray and getting hit with something, however, he did not know who was doing it. He thought it was the guys that originally hit him.

The next thing Suspect Jackson recalled was being handcuffed and sitting in the "Universal City Sub-Station" where he told the officers that he needed to go to the hospital and that they needed to call his doctor. Jackson felt that something was wrong with his right hand and arm. He described the pain as a "burning" in his arm. Jackson described the deputy he told this to as "Asian" wearing a green polo shirt.

> **IAB Note:** The "Asian" deputy is Deputy Inital. During his interview with IAB investigators, Deputy Inital said that he did not recall hearing the suspect say that he needed to go to the hospital. **Refer to Sworn Witness Interviews**

The officers told him that they could not reach his doctor. Jackson said he was never taken to the hospital while at Universal City. He recalled being treated by a "paramedic" at Universal and telling him that his arm hurt. He also recalled punching holes in the wall at Universal City with his knee. He was later taken to West Hollywood Station, where he spoke to a Lieutenant who appeared upset because he hadn't been taken to the hospital before coming to West Hollywood Station.

Jackson said that while he was at the hospital he looked at a clock and he recalled seeing the time was eight-thirty. He thought he had been at West Hollywood Station for about four hours before going to the hospital.

Suspect Jackson said that he takes anti-depressant medication, however, he did not take any on the day of the incident because he knew he was going to be drinking and he did not want to mix the medication with alcohol.

Suspect Jackson concluded that he has great respect for law enforcement and did not know that he had contact with a police officer. He was trained in the military to continue to "go after" whoever is attacking you.

JOSE GALLARDO

Suspect Gallardo was interviewed at 0407 hours at Universal Studios City Walk Substation by Sergeant [redacted] Suspect Gallardo related that he was trying to help his friend (Suspect Jackson) and was arrested by deputies for interfering. Suspect Gallardo said he was trying to calm Jackson down and the deputies sprayed him in the face. He admitted that he was interfering. The interview was video taped. Suspect Gallardo was not interviewed by IAB investigators. **Refer to Exhibit T - Video taped interview of Suspect Gallardo by Sergeant [redacted]**

MISCELLANEOUS:

Sergeant [redacted] was the Watch Sergeant on duty at Universal Studios City Walk during this incident. Due to the fact that Suspect Jackson was not transported to the hospital for treatment and an "Okay to Book" for nearly eight hours after the incident, Sergeant [redacted] was named as a Subject of an Internal Affairs Bureau investigation under IAB # IV 2073543. Refer to that case file for details of that investigation.